

REMARKS

Claim Rejections Under 35 USC § 112, and Claim Amendments

1. In claim 14, the structure identifier (IVX) was corrected to (XIV) as suggested by the Office Action. The same correction is also made in the corresponding part of the specification.
2. Reference to structure (XVIII) in claims 14 and 56 was deleted as said structure is also missing from the specification. See, e.g., page 24. The same correction is also made in the corresponding part of the specification.
3. The structure identifier (XIX) after (XXVIII) was corrected to (XXIX) as suggested by the Office Action. The same correction is also made in the corresponding part of the specification.
4. Applicants thank the Examiner for noting the obvious error in the group -PO₃M₁, which error also occurs in the specification. This is a clearly typing/valency error or mistake. Applicant's intention was -PO₃(M₁)₂, which is clear from the application. Accordingly, the obvious correction has been made both in claim 14 and in the corresponding parts of the specification.

As heteroatom in this context the application always lists oxygen, nitrogen, sulfur and phosphor. One of ordinary skill in the art would have had no reason at all to select any other heteroatom instead of phosphor in this specific context. And no other special attribute has been associated to the respective heteroatom (phosphor in the objected case). The group always consists just of the heteroatom itself, oxygen and hydrogen or alkali metal, where M₁ represents an alkali metal or hydrogen. To be chemically correct the formula must therefore read -PO₃(M₁)₂.

5. The Office Action indicates that the Examiner could not locate where the variable n is used. The variable n is used in formula (XIX) on page 19 of this response.
6. The Office Action alleges that the "combined choices, e.g., R₁₉-R₂₁, are not correct, as these do not together form a ring, but together plus other atoms form a ring. Combined together they would provide only a chain." The objected to language appears to be the following: "R₁₉ and R₂₁, and/or R₁₇ and R₂₁, and/or R₂₀ and R₂₂, and/or R₁₈ and R₂₂, or R₂₁ and R₂₃ and/or R₂₂ and R₂₄ together represent a fused-on 5 or 6-membered, monocyclic or bicyclic hydrocarbon ring."

It is unclear why the combined choices are not correct and how they would form only a chain. This type of nomenclature is common, clear and well understood by those of ordinary skill in this art. Each of these R groups is located in a different position (thereby providing the locations for the “fused-on” terminology), and the claim language clearly and explicitly identifies that a hydrocarbon ring is represented by the definition of the combined choices.

If clearer language would be suggested by the Examiner, applicants respectfully request that the Examiner contact the undersigned via telephone to expeditiously resolve any issues and advance this application to an expeditious allowance.

Additional Amendments

The group “R₂₁” was identified as “R₂1” in claim 14 and in the corresponding part of the specification. The appropriate correction to “R₂₁” has been made in both places.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Csaba Henter/

Csaba Henter, Reg. No. 50,908
Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Boulevard, Suite 1400
Arlington, Virginia 22201
Direct Dial: 703-812-5331
Facsimile: 703-243-6410

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